

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:  
THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the  
Commonwealth, HTA, and ERS.**

**NOTICE OF CORRESPONDENCE REGARDING THE ONE HUNDRED SEVENTY-  
THIRD OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH  
OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION  
AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT  
OF THE COMMONWEALTH OF PUERTO RICO TO INDIVIDUAL PROOF OF  
CLAIM NO. 164442**

To the Honorable United States District Judge Laura Taylor Swain:

1. On March 6, 2020, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), by and through the

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Commonwealth, HTA and ERS (collectively, the “Debtors”) pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> filed the *One Hundred Seventy-Third Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Subsequently Amended Claims* [ECF No. 12138] (the “One Hundred Seventy-Third Omnibus Objection”).

2. The One Hundred Seventy-Third Omnibus Objection seeks to disallow certain proofs of claim that were subsequently amended and superseded (collectively, the “Claims to Be Disallowed”), each as listed on Exhibit A thereto. As set forth in the One Hundred Seventy-Third Omnibus Objection and supporting exhibits thereto, each of the Claims to Be Disallowed have been amended and superseded by subsequently filed proof(s) of claim (collectively, the “Remaining Amended Claims”). The Claims to Be Disallowed thus no longer represent valid claims against the Debtors.

3. The Debtors have received the attached correspondence from Felix Luis Ortiz Castro (“Ortiz Castro”), a copy of which is attached hereto as Exhibit “A” (the “Ortiz Castro Response”), regarding Proof of Claim No. 164442 (the “Original Ortiz Castro Claim”). A certified translation of the Ortiz Castro Response is attached hereto as Exhibit “A-1.”

4. The Ortiz Castro Response does not dispute that the Original Ortiz Castro Claim was subsequently amended by Proof of Claim No. 171828 (the “Amended Ortiz Castro Claim”),

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<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

which was filed by Ortiz Castro on October 15, 2019, and which asserts liabilities purportedly owed by the Department of Education arising from “Pasos no recibidos/Romerazo.”

5. Instead, the Ortiz Castro Response consists of several pages from the *One Hundred Fiftieth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Miscellaneous Deficient Claims* [ECF No. 9943] (the “One Hundred Fiftieth Omnibus Objection”), which was filed by the Debtors on January 14, 2020. The Ortiz Castro Response further states that Ortiz Castro was an employee of the Department of Education for thirty-two and one-half (32 ½) years, and asserts liabilities of approximately \$60,000 purportedly arising from Acts 34 and 89. Neither the Original Ortiz Castro Claim nor the Amended Ortiz Castro Claim, however, are subject to the One Hundred Fiftieth Omnibus Objection.

6. Because the Ortiz Castro Response does not dispute that the Original Ortiz Castro Claim was subsequently amended and superseded by the Amended Ortiz Castro Claim, and therefore no longer represents a valid claim against the Debtors, the Debtors respectfully request that the Court grant the One Hundred Seventy-Third Omnibus Objection and disallow the Original Ortiz Castro Claim, notwithstanding the Ortiz Castro Response. Further, because the Ortiz Castro Response includes additional information not submitted with the Amended Ortiz Castro Claim, the Debtors will keep a record of the information submitted with the Ortiz Castro Response and will consider such information when reviewing, analyzing, and reconciling the Amended Ortiz Castro Claim.

Dated: January 4, 2021  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Ricardo Burgos Vargas  
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